



General Assembly

**Substitute Bill No. 305**

February Session, 2008

\* \_\_\_\_\_ SB00305PD \_\_\_\_\_ 040908 \_\_\_\_\_ \*

**AN ACT CONCERNING MILITARY TRANSPORTATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-44a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2008*):

3 (a) No person may drive a commercial motor vehicle on the  
4 highways of this state unless the person holds a commercial driver's  
5 license issued by this state or another state, with applicable  
6 endorsements valid for the vehicle he is driving.

7 (b) The provisions of subsection (a) of this section shall not apply to  
8 (1) the holder of a commercial driver's instruction permit when  
9 accompanied in the vehicle by the holder of a commercial driver's  
10 license, [or] (2) any military personnel who operate commercial motor  
11 vehicles solely in connection with their military duties, in accordance  
12 with 49 CFR 383.3(c), or (3) any member of the Connecticut National  
13 Guard who is qualified to operate a military or commercial motor  
14 vehicle in accordance with 49 CFR 383.3(c) and operates such vehicle  
15 while performing state military duty.

16 (c) Any person who violates the provisions of subsection (a) of this  
17 section shall operate a motor vehicle in violation of the classification of  
18 the license issued to him, and shall be subject to the penalties provided  
19 in subsection (e) of section 14-36a of the 2008 supplement to the

20 general statutes and section 14-44k of the 2008 supplement to the  
21 general statutes.

22 Sec. 2. Section 27-102a of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective from passage*):

24 (a) Notwithstanding any provisions of the general statutes with  
25 respect to annual or biennial license or registration fees or occupational  
26 taxes, any resident of Connecticut on active duty with the armed forces  
27 of the United States, shall be exempt from the payment of such fees or  
28 taxes during his period of active service and for one year following the  
29 date of his honorable discharge or the date of his release under  
30 honorable conditions, from such service.

31 (b) Any [resident of Connecticut on active duty with the armed  
32 forces of the United States during the period commencing on August 7,  
33 1990, and lasting for the duration of Operation Desert Shield and  
34 Operation Desert Storm until the cessation of hostilities as determined  
35 by the President of the United States or until a date established by an  
36 act of the General Assembly,] member of the armed forces of any state  
37 or of any reserve component of the armed forces of the United States  
38 who has been called to active service in the armed forces of any state of  
39 the United States shall be exempt from the payment of any fine or late  
40 fee assessed for failure to renew [his] a motor vehicle operator's license  
41 or motor vehicle registration or for failure to have emissions inspection  
42 performed in a timely manner provided such [resident] member  
43 renews [his] the license or registration or has [his] the member's  
44 vehicle inspected at an official emissions inspection station no later  
45 than sixty days following the date such [resident returns to the state]  
46 member is released from the qualifying military service.

47 [(c) Any resident of Connecticut on active duty with the armed  
48 forces of the United States who qualifies for a late fee exemption  
49 pursuant to subsection (b) of this section, and who has paid such late  
50 fee to the Department of Motor Vehicles prior to May 22, 1991, may  
51 apply to the department for a refund of such fee.]

52 Sec. 3. Subdivision (53) of section 12-81 of the 2008 supplement to  
 53 the general statutes is repealed and the following is substituted in lieu  
 54 thereof (*Effective July 1, 2008*):

55 (53) (a) One motor vehicle belonging to, leased to or held in trust  
 56 for, any member of the United States armed forces, if such motor  
 57 vehicle is garaged inside or outside the state;

58 (b) Any person claiming the exemption provided under this  
 59 subdivision for any assessment year shall, not later than the thirty-first  
 60 day of December next following the date on which property tax is due  
 61 in such assessment year, file with the assessor or board of assessors, in  
 62 the town in which such motor vehicle is registered, written application  
 63 claiming such exemption on a form approved for such purpose by  
 64 such assessor or board. Notwithstanding the provisions of this chapter,  
 65 any person claiming the exemption under this subdivision for a leased  
 66 motor vehicle shall be entitled to a refund of the tax paid with respect  
 67 to such vehicle, whether such tax was paid by the lessee or by the  
 68 lessor pursuant to the terms of the lease. Upon approving such  
 69 person's exemption claim, the assessor shall certify the amount of  
 70 refund to which the applicant is entitled and shall notify the tax  
 71 collector of such amount. The tax collector shall refer such certification  
 72 to the board of selectmen in a town or to the corresponding authority  
 73 in any other municipality. Upon receipt of such certification, the  
 74 selectmen or such other authority shall draw an order on the Treasurer  
 75 in favor of such person for the amount of refund so certified. Failure to  
 76 file such application as prescribed herein with respect to any  
 77 assessment year shall constitute a waiver of the right to such  
 78 exemption for such assessment year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	14-44a
Sec. 2	<i>from passage</i>	27-102a
Sec. 3	<i>July 1, 2008</i>	12-81(53)

<b>VA</b>	<i>Joint Favorable Subst. C/R</i>	TRA
<b>TRA</b>	<i>Joint Favorable Subst.</i>	
<b>PD</b>	<i>Joint Favorable</i>	